

# Notice of Allowability

## Application No.

10/822,023

## Examiner

David Q. Nguyen

## Applicant(s)

CHURT ET AL.

## Art Unit

2617

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/06/07.
2. ☒ The allowed claim(s) is/are 1-3, 4, 6-9, 11-16 (renumbered as 1-14 respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ralph Locher on 02/28/08.

The application has been amended as follows:

Listing of Claims:

- 1 (currently amended). A method of announcing an individual apparatus to a system containing a central apparatus, which comprises the steps of:
- announcing the individual apparatus to the system using exclusively optical communication;
- storing information about the individual apparatus in the system in the central apparatus; ~~and~~
- after completing the announcing step, outputting a confirmation signal by at least one of an apparatus registering the announcing and the central apparatus; and after completing the announcing step, the individual apparatus communicating further information only through radio communications.
- 2 (original). The method according to claim 1, wherein the announcing is effected to the central apparatus.
- 3 (previously presented). A method of announcing an individual apparatus to a system containing a central apparatus, which comprises the steps of:

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announcing the individual apparatus to the system using exclusively optical communication; storing information about the individual apparatus in the system in the central apparatus; after completing the announcing step, the individual apparatus communicating further information only through radio communications; announcing an intermediary apparatus to the central apparatus; announcing the individual apparatus to the intermediary apparatus resulting in an announcement; and forwarding the announcement of the individual apparatus from the intermediary apparatus to the central apparatus.

4 (original). The method according to claim 1, which further comprises performing the optical communication unidirectionally from the individual apparatus doing the announcing to an apparatus for registering the announcing.

5 (cancelled).

6 (original). The method according to claim 1, which further comprises forming the system as a radio network.

7 (original). The method according to claim 1, which further comprises forming the system as a data acquisition and data collection system.

8 (original). The method according to claim 1, which further comprises performing the optical communication in an infrared range.

9 (previously presented). The method according to claim 1, which further comprises forming the system as a consumption data acquisition and collection system reporting information relating to at least one of electricity consumption, water consumption, gas consumption and heat cost data.

10 (canceled).

11 (currently amended). A system, comprising:

a first apparatus being a central apparatus having a first optical interface for performing optical communication and a first radio module; and

a second apparatus selected from the group consisting of an individual apparatus and an intermediary apparatus and having a second optical interface for performing optical communication with said first optical interface, the optical communication only providing information about said second apparatus for announcing a presence of said second apparatus to said first apparatus, said second apparatus having a second radio module for transmitting further information to said first apparatus, after said second apparatus announces its presence to said first apparatus, said first apparatus outputting a confirmation signal.

12 (original). The system according to claim 11, wherein:

the system is a data acquisition and data collection system; said central apparatus is a master data collector; said intermediary apparatus is a data collector; and said individual apparatus is a terminal apparatus and data communication between said apparatuses is effected by way of radio.

13 (previously presented). The system according to claim 12, wherein the system is a consumption data acquisition and collection system reporting information relating to at least one of electricity consumption, water consumption, gas consumption and heat cost data.

14 (previously presented). A system, comprising:

a first apparatus being a central apparatus having a first optical interface for performing optical communication; a second apparatus being an individual apparatus and having a second optical interface for performing optical communication; and

a third apparatus being an intermediary apparatus and having a third optical interface for performing optical communication, said third optical interface communicating with said first and second optical interfaces, the optical communication providing information about said second and third apparatuses for announcing a presence of said second and third apparatuses to said first apparatus.

15 (original). The system according to claim 14, wherein:

the system is a data acquisition and data collection system; said central apparatus is a master data collector; said intermediary apparatus is a data collector; and said individual apparatus is a terminal apparatus and data communication between said first, second and third apparatuses is effected by way of radio.

16 (previously presented). The system according to claim 14, wherein the system is a consumption data acquisition and collection system reporting information relating to at least one of electricity consumption, water consumption, gas consumption and heat cost data.

***Allowable Subject Matter***

2. Claims 1-3, 4, 6-9, 11-16 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the claim has been amended to overcome the prior arts. The closest prior arts, Tracy et al. (US 6,369,719) and Kagan (US 2003/0184448 A1), either singularly or in combination, fail to anticipate or render obvious that after the announcing has occurred, outputting a confirmation signal by at least one of an apparatus registering the

announcing and the central apparatus, in combination with other limitations in the claim as defined by applicant.

Independent claim 3 has been rewritten as an independent form including all of the limitations of the base claim. Therefore, claim 3 is now allowable with the same reason set forth in the previous office action.

Regarding independent claim 11, the claim has been amended to overcome the prior arts. The closest prior arts, Tracy et al. (US 6,369,719) and Kagan (US 2003/0184448 A1), either singularly or in combination, fail to anticipate or render obvious that after said second apparatus announces its presence to said first apparatus, said first apparatus outputting a confirmation signal, in combination with other limitations in the claim as defined by applicant.

Claims 14-16 are allowable as indicated in the previous office action.

Claims 2, 4 and 6-9 depend on claim 1. Therefore, they are allowed.

Claims 12-13 depend on claim 11. Therefore, they are allowed.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Theimer et al. (US 5,793,630) teach high precision spatially defined data transfer system.

Ragle et al. (US 6,195,018 B1) teach metering system.

Kagan (US 2008/0030368 A1) teaches meter with IRDA port.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Q Nguyen/  
Primary Examiner, Art Unit 2617

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